



Senate

General Assembly

File No. 385

January Session, 2013

Substitute Senate Bill No. 709

Senate, April 8, 2013

The Committee on Public Safety and Security reported through SEN. HARTLEY, J. of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING THE SILVER ALERT SYSTEM AND
MAINTAINING THE PRIVACY OF A MISSING PERSON'S MEDICAL
INFORMATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-1e of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) There is established a Missing Children Information
4 Clearinghouse within the Department of Emergency Services and
5 Public Protection. The clearinghouse shall be supervised by the
6 Commissioner of Emergency Services and Public Protection, who shall
7 establish services deemed appropriate by the department to aid in the
8 location of missing children.

9 (b) As used in this section:

10 (1) "Missing child" means any person who is under the age of
11 eighteen years, whose temporary or permanent residence is in

12 Connecticut or is believed to be in Connecticut, whose location has not
13 been determined, and who has been reported as missing to a law
14 enforcement agency.

15 (2) "Missing child report" is a report prepared on a form designed
16 by the Department of Emergency Services and Public Protection for the
17 use by private citizens and law enforcement agencies to report missing
18 children information to the Missing Children Information
19 Clearinghouse.

20 (c) The clearinghouse is established as a central repository of
21 information regarding missing children and other missing persons.
22 Such information shall be collected and disseminated to assist in the
23 location of missing children. The clearinghouse shall:

24 (1) Establish a system of intrastate communication of information
25 relating to children determined to be missing by the parent, guardian
26 or legal custodian of the child, or by a law enforcement agency;

27 (2) Provide a centralized file for the exchange of information on
28 missing children within the state;

29 (3) Interface with the National Crime Information Center for the
30 exchange of information on children suspected of interstate travel;

31 (4) Collect, process, maintain and disseminate information on
32 missing children and shall strive to maintain or disseminate only
33 accurate and complete information;

34 (5) Establish procedures to maintain the confidentiality of the
35 medical information of any missing child or other missing person that
36 is collected, discovered or otherwise obtained pursuant to the
37 provisions of this section or section 29-1f, including procedures
38 providing that no such medical information shall be disseminated to
39 the public without the consent of the parent, guardian or legal
40 custodian of any such missing child or, in the case of a missing person
41 other than a missing child, the spouse, parent, sibling, child or next of
42 kin of such person; and

43 [(5)] (6) Conduct investigations concerning missing children in this
44 state and cooperate with local law enforcement agencies and other
45 state and federal agencies in investigations concerning missing
46 children.

47 (d) All state, county and municipal law enforcement agencies shall
48 submit to the clearinghouse all missing child reports received by any
49 such agency.

50 (e) (1) Any parent, guardian or legal custodian may submit a
51 missing child report to the clearinghouse on any child whose
52 whereabouts is unknown, regardless of the circumstances, subsequent
53 to the reporting of such to the appropriate law enforcement agency
54 within the county in which the child became missing, which shall be
55 included in the clearinghouse data base.

56 (2) The parent, guardian or legal custodian responsible for notifying
57 the clearinghouse or a law enforcement agency of a missing child shall
58 immediately notify such agency or the clearinghouse of any child
59 whose location has been determined.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2013	29-1e
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PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which requires the Department of Emergency Services and Public Protection to establish procedures to ensure that the medical information of missing persons is not disseminated from the Missing Children Information Clearinghouse without familial consent, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 709*****AN ACT CONCERNING THE SILVER ALERT SYSTEM AND
MAINTAINING THE PRIVACY OF A MISSING PERSON'S MEDICAL
INFORMATION.*****SUMMARY:**

This bill requires the state's missing children information clearinghouse to establish procedures to maintain the confidentiality of the medical information of any missing person, including adults with mental impairment, that is collected, discovered, or otherwise obtained. The procedures must provide that no such medical information is disseminated to the public without the consent of the parent, guardian, or legal custodian of a missing child or, in the case of other missing persons, the person's spouse, parent, sibling, child, or next of kin. (It is unclear whether mental impairment would be considered medical information subject to the bill's prohibition.)

EFFECTIVE DATE: October 1, 2013

BACKGROUND***Missing Children Information Clearinghouse and Missing Persons
Reports***

This clearinghouse is within the Department of Emergency Services and Public Protection (DESPP). It is the state's central repository of information on missing children, adults with mental impairments, and seniors age 65 or older. But, subject to available resources, it may collect, process, maintain, and disseminate information to help locate other missing persons (CGS §§ 29-1e & 29-1f).

By law, parents, guardians, and legal custodians may file missing child reports with local police. Relatives, guardians, conservators,

attorneys, healthcare representatives, and nursing home administrators and employees can do so for missing adults with disabilities.

DESPP protocol requires missing persons' reports to indicate whether the missing person has a mental illness, is addicted to drugs or alcohol, or currently takes prescription medication.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 17 Nay 6 (03/19/2013)